

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 13-mc-51236

v.

Hon. John Corbett O'Meara

JAMAL SAADALLAH BERRO,

Defendant,

and

STATE OF MICHIGAN  
DEPARTMENT OF TREASURY,

Garnishee.

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**ORDER DENYING REQUEST  
TO QUASH GARNISHMENT**

Before the court is Defendant Jamal Saadallah Berro's request to quash the garnishment obtained by the United States for her income tax refunds. Defendant objects to the garnishment, stating that "no one has told me or previously mailed me or appro[ached] me and for what reason." The government is attempting to collect Defendant's restitution debt in the amount of approximately \$500,000. See Pl.'s Ex. A (judgment).

Under the Federal Debt Collection Procedure Act, 28 U.S.C. § 3001, *et seq.*,

a defendant may request a hearing regarding a garnishment. However, Section 3202(d) provides that any such hearing is limited “to the probable validity of any claim of exemption by the judgment debtor” or “to compliance with any statutory requirement” by the government. Defendant has not raised these or any other legal basis for quashing the garnishment. Accordingly, a hearing is not required. See United States v. Miller, 588 F. Supp.2d 789, 797 (W.D. Mich. 2008) (“courts have denied a hearing where the debtor did not object based on one of the issues specified in 28 U.S.C. § 3202(d), where the objection is plainly without merit, or where the objection was simply a matter of statutory interpretation”).

Therefore, IT IS HEREBY ORDERED that Defendant’s request for hearing and/or to quash garnishment is DENIED.

s/John Corbett O’Meara  
United States District Judge

Date: January 30, 2014

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, January 30, 2014, using the ECF system and/or ordinary mail.

s/William Barkholz  
Case Manager